

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

-
W.P. NO. 28573 OF 1997

-
DATED: 10-04-2007

Between:-

P.S.V.Subba Rao s/o Vithal Rao, aged 27 years, Lecturer in Hindi in Sarada College, Vijayawada, R/o Vijayawada.

...PETITIONER

And

Government of Andhra Pradesh, represented by its Secretary, Department of Education, A.P.Hyderabad and two others.

...RESPONDENTS

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P. NO. 28573 of 1997

ORDER

Though, Sri P.R. Prasad, learned counsel for the petitioner, made extensive submissions on the petition filed to amend the prayer in the writ petition and initially sought for the relief to be moulded, directing the respondents to consider the case of the petitioner for regularization, during the course of arguments, learned counsel would submit that, while he was not pressing for an adjudication on the W.P.M.P.No. 5926 of 2007 to amend the prayer in the writ petition, the petitioner was, in any event, entitled to have his services regularized in the aided post of Lecturer in accordance with G.O.Ms.No.328, dated 15.10.1997 and in the light of the judgment of the Constitution Bench of the Supreme Court in **Secretary, State of Karnataka and others v. Umadevi and others**^[1].

Learned Government Pleader for Higher Education would, however, contend to the contrary and submit that neither under G.O.Ms.No. 328, dated 15.10.1997, nor by virtue of the orders of the Supreme Court in Umadevi¹, was the petitioner entitled for

regularization. Since this question has not been raised in the original writ petition, I see no reason to adjudicate on this question, more so, in view of the fact that the petitioner has submitted a representation on 06-10-2000. Ends of justice would be met if the petitioner is permitted to submit another copy of the said representation to Respondents 1 and 2, within a period of one month from the date of receipt of a copy of this order, and Respondents 1 and 2 are directed to consider his representation in accordance with law and pass appropriate orders thereupon, within a period of three months from the date of receipt of such representation.

The writ petition is, accordingly, disposed of. No costs.

RANGANATHAN,J
Dated: 10-04-2007
vp

RAMESH

[\[1\]](#) 2006 (4) SCC-1